

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL COTA,

Plaintiff,

vs.

JOHN DOE, *et al.*,

Defendants.

Case No.: 3:21-CV-00350-RCJ-CLB

ORDER ADOPTING AND ACCEPTING
REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE
(ECF NO. 12)

Before the Court is the Report and Recommendation of United States Magistrate Judge Carla L. Baldwin (ECF No. 12¹) entered on September 24, 2021, recommending that the Court grant Cota's applications to proceed *in forma pauperis* (ECF Nos. 7, 10) and dismiss without prejudice and without leave to amend Cota's second amended complaint (ECF No. 9). Cota filed his objection to magistrate judges report and recommendation (ECF No. 13).

This action was referred to Magistrate Carla L. Baldwin under 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

¹ Refers to Court's docket number.

1 The Court has conducted its *de novo* review in this case, has fully considered the
2 pleadings and memoranda of the parties including the parties' objections to the Report and
3 Recommendation and other relevant matters to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2.
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5 **IT IS HEREBY ORDERED** that United States Magistrate Judge Baldwin's Report and
6 Recommendation (ECF No. 12) shall be **ADOPTED and ACCEPTED**.

7 **IT IS FURTHER ORDERED** that Plaintiff Cota's Applications to Proceed *In Forma*
8 Pauperis (ECF Nos. 7, 10) are GRANTED.

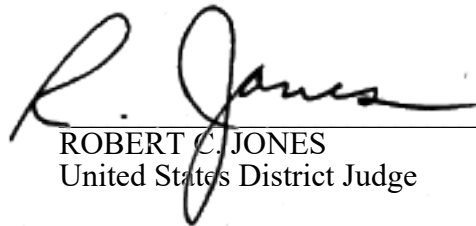
9 **IT IS FURTHER ORDERED** that Plaintiff Cota's Second Amended Complaint (ECF
10 No. 9) is **DISMISSED WITHOUT PREJUDICE** and **WITHOUT LEAVE TO AMEND**.
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12 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment
13 accordingly and close the case.

14 **IT IS SO ORDERED.**

15 Dated this 13th day of January 2022.
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ROBERT C. JONES
United States District Judge